

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Srikant Viswanadham on January 29, 2009.

The application has been amended as follows:

Claim 1 has been amended as follows:

1. (Currently Amended) A longitudinal drawing device for drawing a synthetic film, the longitudinal drawing device comprising:

a frame; and

drawing cylinders over which the film is drawn from an upstream position to a downstream position, the drawing cylinders including:

a first drawing cylinder that rotates about a first axle;

a second drawing cylinder that rotates about a second axle, the second axle being offset in a forward direction and in a vertical direction with respect to the first axle;

a third drawing cylinder that rotates about a position-adjustable third axle, the third axle being offset in the forward direction and in the vertical direction with respect to the second axle; and

a fourth drawing cylinder that rotates about a fourth axle, the fourth axle being offset in the forward direction and in the vertical direction with respect to the third axle;

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the longitudinal drawing device further comprising:

a first press element, a second press element, and a third press element corresponding to the second drawing cylinder, the third drawing cylinder, and the fourth drawing cylinder, respectively;

a motorized rotational drive means for rotationally driving at least two of the cylinders at differentiated speeds so as to form a first drawing stage between the second drawing cylinder and the third drawing cylinder and a second drawing stage between the third drawing cylinder and the fourth drawing cylinder such that the film is drawn on an upstream and a downstream side of the third cylinder;

a mobile coupling on which the third drawing cylinder is mounted and that supports the ~~third~~ second press element, and

a motorized means for causing the mobile coupling to pivot about an axis connected to the frame of the drawing device so as to adjust a position of the third axle and thereby regulate a drawing distance in the first drawing stage formed between the second drawing cylinder and the third drawing cylinder,

wherein the second press element accompanies the third drawing cylinder as the position of the third axle is adjusted and the drawing distance in the first drawing stage is regulated.

2. The restriction requirement, as set forth in the Office action mailed on October 17, 2007, has been reconsidered in view of the allowability of claims to the elected invention pursuant. **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claim 9, directed to a

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non-elected species is no longer withdrawn from consideration because the claim requires all the limitations of an allowable generic claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

3. Claims 1, 2 and 5-13 are allowed.

4. The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or reasonably suggest, the device as recited by instant claims 1, 2 and 5-13, particularly including the mobile coupling on which the third drawing cylinder is mounted and that supports the second press element, and the motorized means for causing the mobile coupling to pivot about an axis connected to the frame of the drawing device so as to adjust a position of the third axle and thereby regulate a drawing distance in the first drawing stage formed between the second drawing cylinder and the third drawing cylinder, wherein the second press element accompanies the third drawing cylinder as the position of the third axle is adjusted and the drawing distance in the first drawing stage is regulated.

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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH LEYSON whose telephone number is (571)272-5061. The examiner can normally be reached on M-F 9AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gupta Yogendra can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Robert B. Davis/  
Primary Examiner, Art Unit 1791

/J. L./  
Examiner, Art Unit 1791